GOVERNMENT OF INDIA
HEALTH AND FAMILY WELFARE
LOK SABHA

UNSTARRED QUESTION NO:343
ANSWERED ON:26.07.2006
PILFERAGE OF TRADITIONAL KNOWLEDGE
Patel Shri Kishanbhai Vestabhai;Singh Shri Sugrib

Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether the Government proposes non-disclosure agreement to check pilferage of traditional knowledge of Ayurveda, Unani, Sidha and Yoga in the country;

(b) if so, the details thereof; and

(c) the extent to which the said agreement will check the pilferage thereof?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH & FAMILY WELFARE (SMT. PANABAKA LAKSHMI)

(a) Yes sir, the Government will be providing access to Traditional Knowledge Digital Library

(TKDL) database to international patent offices under TKDL Access and Non-disclosure Agreement as per approval granted by Cabinet.

(b) The core principles of the TKDL Access Agreement are :-

(i) Access to TKDL by the examiners of an international patent office would only be utilized for patent search and examination, and

(ii) International Patent Offices and their examiners would not make any third party disclosure other than what is necessary and essential for the purpose of patent search and examination.

(c) Once TKDL Access Agreement comes into affect, TKDL would get utilized for prior art search by Patent Examiners. Therefore, Patents would not get granted if prior art is established by TKDL database